

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

See form PCT/ISA/220

Date of mailing
(day/month/year)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/EP2004/052943

International filing date (day/month/year)
11/12/2004

Priority date (day/month/year)
12/17/2003

International Patent Classification (IPC) or both national classification and IPC
F02M55/00, F02M61/14, F02M69/46

Applicant

ROBERT BOSCH GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/

Authorized officer

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/052943

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
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International application No.
PCT/EP2004/052943

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	10-16	YES
	Claims	1-9, 17-22	NO
Inventive step (IS)	Claims		YES
	Claims	1-22	NO
Industrial applicability (IA)	Claims	1-22	YES
	Claims		NO

2. Citations and explanations:

see supplementary page

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see supplementary page

WRITTEN OPINION OF THE INTERNATIONAL

International File

SEARCHING AUTHORITY

Number

(SUPPLEMENTARY SHEET)

PCT/EP2004/052943

Re Point V:

1. Document DE 101 63 030 A (Document D1, Figures 1 and 2) discloses a support element for the mutual support of a fuel injector (1) in a valve receptacle (20), in particular the valve receptacle (20) of a cylinder head (2) of an internal combustion engine, and of the fuel injector (1) against a fuel distribution line (4), the support element having a clamp (1) **[Translator's note: Sic]** and clips (15) and brackets (14) provided thereon.
- 1.1 Thus the object of Claim 1 is not novel (Art. 33 (2) PCT).
- 1.2 Independent Claims 2 through 22 do not seem to include any additional features which, in combination with the features of any claim to which Claims 2 through 22 refer back, fulfill the PCT requirements with regard to novelty or inventive step, because the object of claims 2 through 9 and 17 through 22 is known heretofore from Document D1, the object of claims 10 through 14 is derivable from US 6,276,339 B (Document D2, Figures 1-3), and the object of Claims 15 and 16 relates to a minor design modification to the support element disclosed in D1 that lies within the scope of what a person skilled in the art would do based on ordinary considerations.

Re Point VII:

2. In contravention of the requirements set forth in Rule 5.1 a) ii) PCT, the description does not include the

relevant background information disclosed in Document D1,
nor a reference to that document.

2.1 The description is not in accordance with the Claims as
required pursuant to Rule 5.1 a) iii) PCT.